

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

In the Matter of)

**Closed Captioning and Video Description
of Video Programming**)

MM Docket No. 95-176

To: The Commission - Mail Stop 1170

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COMMENTS OF THE PUBLIC BROADCASTING SERVICE

1. Introduction. The Public Broadcasting Service ("PBS") submits the following comments in response to the Commission's *Notice of Inquiry* in the above-captioned proceeding, FCC 95-484, released December 4, 1995. PBS is a non-profit membership organization, the members of which are the licensees of virtually all of the nation's public television stations. PBS provides program distribution and other services to its members.

2. PBS's Role in the Development of Captioning and Descriptive Video Services.

PBS has always been at the forefront in the development of captioning technology and services. The first nationally broadcast captioned program was *The French Chef* with Julia Child, distributed by PBS in 1972, followed by *The Captioned ABC Evening News* from 1974 to 1980, both distributed with open captions. PBS was the petitioner for rule making in the proceeding that led to the reservation of line 21 of the NTSC vertical blanking interval for closed captioning services in 1976. Its engineers took a leading role in the development of closed-captioning technology, and the first closed-captioned programs were distributed by PBS to its member stations in 1980. Closed captioning then migrated rapidly to commercial television, which made it practicable for Congress to mandate decoding circuitry in most new

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television receivers in the Television Decoder Circuitry Act of 1990, which PBS helped draft. The first national test of the Descriptive Video Service ("DVS®")^{1/} was conducted by PBS in 1988, in connection with the *American Playhouse* series, with the participation of ten public television stations. PBS also received an Emmy Award in 1990 for its pioneering work in DVS® development.

3. PBS's Practices as a Broadcaster. Closed captioning is part of PBS's mission to provide universal access to its programming to all Americans. Closed captioning not only provides greater access for deaf and hard-of-hearing persons but also serves as an important educational tool for first-time readers of all ages -- from pre-school and school-age children to adults learning English as a second language. Accordingly, PBS has voluntarily adopted the practice of requiring producers to provide closed captioning in all programming funded by PBS's National Program Service.

4. Results. As a result of PBS's policies, all children's programs and virtually all PBS prime time programs are closed captioned. In addition, the *Newshour with Jim Lehrer* is closed captioned each evening. The few programs that are not closed-captioned generally are directed toward visual appreciation (*e.g.*, a ballet or dance performance) or are based on material other than words (*e.g.*, a symphonic concert performance). Foreign language operas are not closed-captioned, as they already contain open English subtitles.

5. Cost and Funding Sources. While PBS's closed-captioning policies are beneficial in obtaining and retaining sources of funding for captioning, the funding process often

^{1/} "DVS" is a registered trademark of public television station WGBH-TV, Boston, Massachusetts.

involves delicate balancing. Closed captioning is expensive. The total cost of closed-captioning, including in-house technical support and other incidental costs, can be as much as \$2,000 per program hour. This amount may be considerably less, however, if a program already contains closed captions and requires only reformatting of the captions for broadcast.^{2/} Although PBS allocates some funds to caption programs not otherwise funded by the National Program Service, live events, and otherwise uncaptioned programs, closed-captioning services overall are highly dependent on outside funding resources. Captioning of children's programming is funded by grants from the U.S. Department of Education ("DOE"), which also makes grants for captioning certain news events and public affairs programs. Captioning of the *Newshour with Jim Lehrer* is dependent upon DOE grants and corporate underwriting.

6. Descriptive Video. As with closed captioning, PBS believes that DVS® is beneficial to the public, providing blind persons and those with visual impairments with access to public television programming. DVS® is a labor-intensive service, normally planned for at 1-1/2 times the cost of captioning; and there is currently a serious lack of funding resources for the service. Compared to closed captioning, DVS® is still in the early stages of development and implementation. PBS does not currently require DVS® for programs available through the National Program Service. The DOE, however, has made some grants for DVS®. As a result, DVS® has been available on some programs in several series, including *American Playhouse*, *Nature*, *The American Experience*, *Masterpiece*

^{2/} "Captioning must be "reformatted" when an existing captioned program is edited for broadcast or rebroadcast. If parts of the program are removed or rearranged, the captions must be removed or rearranged correspondingly."

Theatre, Mystery!, Nova, Scientific American Frontiers, WonderWorks Family Movie, Degrassi High, Long Ago & Far Away, Wild America, Ken Burns' Baseball, and National Geographic Specials.

7. **PBS Learning Media.** PBS Learning Media distributes videocassettes and video laser discs of PBS programs to educational users and the general public through PBS Home Video and PBS Video. Whenever a program is licensed to PBS for home and audio-visual distribution and is available with captioning, PBS Learning Media will use its best efforts to include that feature in the version it distributes. The closed-captioning symbol "cc" is used on videocassette packaging and in PBS' Learning Media's educational catalogs. That symbol will be added to the PBS Home Video direct response catalog in April of 1996. The PBS Video educational collection has over 1,200 titles in distribution, over 80% of which are closed-captioned.^{3/} PBS also attempts to distribute DVS® versions when that feature is available.

8. PBS sometimes receives comments from members of the public asking why a program that was closed-captioned when broadcast on public television does not include captions in the home video version. That can happen when PBS's rights do not include tape distribution; the tape is distributed by a third party; and, while the producer furnishes a captioned version to PBS, it furnishes an uncaptioned version to the tape distributor. PBS encourages the distribution of closed-captioned and/or DVS® versions in this situation, but it does not have control over the tape distribution process. It should be noted that of the more

^{3/} Those that are not captioned are generally telecourses, ITV (instructional TV) programs, and programs produced in the early 1980's and a few PBS prime time programs that were not captioned when originally produced.

than 27 titles and series distributed under the PBS Home Video label by Turner Home Entertainment, only one four-part series is not closed-captioned.^{4/}

9. Future Technologies. The Grand Alliance digital television system recommended by the Commission's Advisory Committee on Advanced Television Service has the capability to facilitate the delivery of both closed captioning and DVS®. The Electronics Industry Association, in coordination with the Advanced Television Systems Committee, is currently developing detailed specifications for the transmission and display of closed captioning via the Grand Alliance system. PBS is actively involved in, and supports these efforts and encourages the Commission to do likewise.

10. Future Proceedings. PBS is aware of the provisions regarding closed captioning and DVS® in the Telecommunications Act of 1996 and recognizes that the instant Inquiry is just the first step in implementing the statute. PBS assumes that notices of proposed rule making will be forthcoming in this docket, and it plans to comment at the appropriate time concerning whatever policy and regulatory issues the Commission may raise.

11. Conclusion. PBS hopes that the information provided in these comments is useful to the Commission. PBS has always been a strong supporter of closed captioning, and that support will continue. It is clear, however, that PBS's ability to provide captioning services is now, and will continue to be, highly dependent on the availability of funding, including the DOE grants that cover the very important areas of children's and news

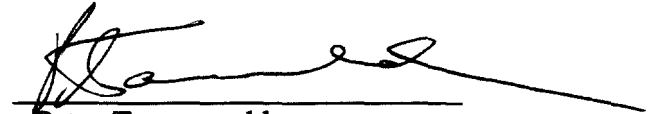
^{4/} Currently, 16 PBS programs are distributed in the home video market with DVS® by WGBH-TV, Boston.

programming. Likewise, PBS believes that DVS® would proliferate if sufficient funding resources could be found.

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